

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JOHN SAYYAH, et al.,  
  
Plaintiffs,

v.

WAYNOKA PROPERTY OWNERS  
ASSOCIATION, INC., et al.,  
  
Defendants.

Case No. 1:01cv459  
Judge Watson

DEFENDANTS' MEMORANDUM IN  
OPPOSITION TO PLAINTIFFS' MOTION  
TO DECLARE THAT FRAUD UPON THIS  
COURT MAKES VOID MAGISTRATE  
BLACK'S REPORT AND  
RECOMMENDATION

Now come Defendants Waynoka Property Owners Association, Inc., WPOA Board of Trustees, Waynoka Regional Water and Sewer District, Inc., WRWSD Board of Trustees, Jerry Andrews, Andrew Bilhardt, Kay Bundy, Mary Chance, Joan Connors, George Culver, Greg Dawson, Carol Dotson, Lizabeth Freeman, Gary Greenlee, Ruth Hamm, Lowell Jackson, Vicki Johnson, Thomas Joyce, Bob Lund, James Marck, William Marshall, Kenny Meyers, Timothy D. O'Farrell, Sharon Otto, Randall Pike, Betty Purdin, Aristotle Roussos, Steve Sanders, Jim Sanger, Carl Seymour, James Taylor, Nancee Klein and Tom Wyatt, by and through counsel, and respectfully request that this Court deny Plaintiffs' Motion to Declare that Fraud Upon this Court Makes Void Magistrate Black's Report and Recommendation.

Respectfully submitted,

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Attorney for Defendants

**MEMORANDUM**

The above-named Defendants incorporate, as if fully rewritten herein, the legal arguments and analysis set forth in the Memorandum of Defendants Donald E. Fender, Inc., James L. Bridges and Milan Gorby in Opposition to Plaintiffs' Motion to Declare that Fraud Upon this Court Makes Void Magistrate Black's Report and Recommendation.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by ordinary U.S. mail on John Sayyah, Brenda Frank, Robert Rickling, on November \_\_, 2004. The Court will send notification to the following via electronic mail:

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